

Pagosa Vision, Inc. Franchise

This ordinance is missing. The actual ordinance is not available; however proof of the ordinance has been found and attached. Such documents are "Notice of Public Hearing" and Town Board minutes.

Keith Thompson  
Code Enforcement Officer  
January 14, 2011

### PUBLIC MEETING

The Town Board of Trustees hereby gives notice of a public meeting for the purpose of reviewing the background and structure of the Town's Personnel Classification and Pay Schedule. This meeting is informational and is designed to provide interested persons with the general knowledge as to how the system was developed, how it functions, and how it is administered. This information is being presented so that persons who desire to attend future Board meetings, wherein the Pay Schedule will be reviewed and modified to address payroll issues raised during the 2000 Budget process, will be knowledgeable of the current system and will be better prepared to understand and affect the modification process. The meeting is scheduled to begin at 7:30 p.m. on Wednesday, January 19, 2000, in the Town Hall Assembly Room. Interested persons are invited to attend.

Published in The Silverton Standard and The Miner on January 13, 2000

### TOWN BOARD VACANCY

The Town Board of Trustees hereby solicits letters of interest from qualified electors residing within the Town of Silverton who are interested in filling a vacant trustee's seat on the Board until the April, 2000 elections. Pursuant to the provisions of law, a person must be a registered elector who has resided within the limits of the Town for a period of at least 12 months immediately preceding the date of election or appointment. Interested persons should submit a letter of interest that briefly expresses why they are interested in the trustee's position and briefly outlines their qualifications for the position. The Board will accept letters of interest until 7:30 p.m. on Monday, January 24, 2000, at which time all letters received will be presented to the Board for review and consideration. Letters should be forwarded to the Town Clerk-Treasurer, PO Box 525, 1360 Greene Street, Silverton, CO 81433, or hand delivered to the Clerk-Treasurer prior to the deadline. Interested persons should plan to be in attendance at the Town Board meeting scheduled to begin at 7:30 p.m. on January 24<sup>th</sup> in the Town Hall in order to answer any questions or clarify any issues that might arise during the Board's appointment considerations.

Published in The Silverton Standard and The Miner on January 13 and 20, 2000

### NOTICE OF PUBLIC HEARING

The Town Board of Trustees hereby gives notice of a public hearing to be held for the purpose of receiving public comment on a proposed ordinance to grant a non-exclusive franchise to Pagosa Vision, Inc., its successors and assigns, to provide cable television and other services within the Town of Silverton. A copy of the proposed ordinance is available for public inspection in the Clerk-Treasurer's Office prior to the hearing. The public hearing is scheduled at 7:30 p.m. on Monday, January 24, 2000 in the Silverton Town Hall. Interested persons may submit written comments on the proposed ordinance to the Town Clerk-Treasurer, PO Box 525, 1360 Greene Street, Silverton, CO 81433 at any time up to the time of the hearing, or verbal or written comments may be presented to the Board at the hearing.

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January 10, 2000

## **PLANNING DIRECTOR**

Building Inspector – Five applications have been received for the position of Building Inspector. The Planning Director recommended working with Craig Springe to work out a contract. He is very qualified and is willing to work in Silverton. Mr. Springe has done work for the Town in this capacity in the past. Consensus was to have staff move forward with negotiating a contract with Craig Springe.

Kendall Mountain Construction Manager – The Town has advertised for a construction manager for the Kendall Mountain Building. Letters also were sent to all local contractors. Only one partially completed application was received. Board consensus was to expand the advertising area beyond our local area and allow a two-week extension of the application deadline. The application deadline will be Thursday, February 10, so applications can be reviewed at the first meeting in February, February 14.

Kendall Mountain Recreation Area – Discussion was held about when the ski hill will open. There is still not enough snow to open at this time. Discussion was held about discounting season passes if the season does not begin soon.

## **ADMINISTRATOR**

Ordinance to Amend Cable Franchise – A proposed ordinance to amend Chapter 3, Article 12 of the Town Code was before the Board for first reading. This is the Cable TV Franchise granted to Pagosa Vision, Inc.

Discussion was held about quality of service. Acting Mayor Nute made a motion to hold the first reading of the Ordinance to Amend the Cable Franchise. The motion carried unanimously.

The first reading was held. Before the second reading, the attorney will look into the fee schedule, which was not included and whether governmental buildings will still be provided with free cable service. A Public Hearing will be set for the second meeting in January. Trustee MacDougall made a motion to set the Public Hearing for the cable franchise ordinance for Monday, January 24, 2000. The motion carried unanimously.

Extension Agreement – A proposed agreement with San Miguel Power was before the Board to extend the existing agreement with San Miguel regarding the relocation of power poles. The extension is for an additional five years. Trustee MacDougall asked that this agreement not allow this item to be pushed to a back burner for another five years. The Attorney is planning on continuing his negotiations with San Miguel Power to resolve the power pole issue. Trustee Myles made a motion to approve the extension agreement with San Miguel Power Association and authorize the Acting Mayor to sign. The motion carried with a roll call vote.

AYES: MacDougall, Mason, Miller, Myles, Nute

NAYES: None

Environmental Assessment Invoice – An invoice has been received from Harold Luzar for the Environmental Assessment completed on the Lackawanna Placer. Per the Towns agreement with Mr. Luzar, once the assessment was completed and accepted by the Town, it became the Towns obligation to pay for the cost of the study. The report has been turned over to the Town and the invoice needs to be paid by the Town. This invoice is included in the warrants and will be approved with the payment of bills.

A letter that was sent from Mr. Luzar's attorney to the current tenant of the Lackawanna property was attached to the bill. This letter was before the Board for their information. The letter takes a harsh stand on having the tenant vacate the property. Board consensus was to contact the tenant and work out an agreement for him to vacate the property. The environmental assessment has been sent to GOCO, the appraisal still has not been received. If it is not received this week, the Attorney will contact the appraiser. The closing is still scheduled to be in January.

Discussion was held about the Lackawanna road being closed. The ice has built up over the road to create a dangerous condition and has been closed by the County.

Proposals to Finance KMRA Community Center – The Administrator would like to contact various financial institutions in Colorado to seek proposals to finance up to \$150,000 for construction of the Kendall Mountain Community Center. A line of credit proposal would allow the Town to draw against the amount as needed to meet our financial obligations with interest being paid only on the amount borrowed at the time the funds are borrowed. Trustee Mason voiced his concern about borrowing more money. Discussion was held about what funding we currently have available. Trustee Myles made a motion to authorize the Administrator to proceed to get proposals from lending institutions for a line of credit for the Town of Silverton relative to the KMRA

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to exempt the railroad from economic deregulation by the PUC. Trustee Miller moved to amend the motion to include reference to the Board's agreement with the D&SNGRR that the train continue to pass passengers at the intersection of 12<sup>th</sup> and Blair streets. The Amendment carried unanimously. The final motion carried with 3 in favor and Trustees Mason and Miller voting in opposition.

#### **TRUSTEE APPOINTMENT**

Discussion was held about Trustee Mason's situation pertaining to his eligibility to continue to hold a Trustee seat on the Town Board due to the fact that his place of residency is not within the Town limits. Trustee Mason stated that at the next regular meeting on February 14, 2000, if he is not residing within the Town limits by that time, he will resign his position so that there is still time to fill that Trustee's seat at the next election.

#### **TRUSTEE APPOINTMENT**

After reviewing applications submitted by persons interested in being appointed to fill a vacant trustee's seat on the Board, and after interviewing applicants present at the meeting, the Board elected to appoint Will Baukhages to fill the vacancy. The Town Attorney administered the oath of office, and Trustee Baukhages took his seat at the Board table.

#### **PUBLIC HEARING**

Ordinance to Amend Cable TV Franchise: The public hearing, properly advertised in the Silverton Standard, to consider adoption of an ordinance to amend the Cable TV Franchise was opened for public comment. There was a question from Melody Skinner asking if the School, County and the Town were still in the franchise to receive free cable service. The Town Attorney stated that a provision to that effect has been added since the original agreement. No other public comments, pro or con, were received. The public hearing was closed. Trustee Myles moved to authorize the Town Attorney to amend the resolution to approve the transfer of the cable service from Pagosa Vision to ICE Holdings in light of the need to further modify the franchise ordinance prior to adoption. Board discussion on the motion ensued with the Board instructing the Town Attorney to draft the resolution to require completion of the franchise agreement within 90 days of the effective date of the resolution. The Motion carried unanimously on a roll call vote -- AYES: MacDougall, Mason, Miller, Myles, Baukhages, and Nute; NAYS: none.

#### **REPORTS OF OFFICERS**

##### **PUBLIC WORKS DIRECTOR**

The Town Board reviewed the Public Works Director's annual report for 1999. The Board acknowledged that the Department accomplished a lot of work over the past year and that citizens should be made more aware of the workloads and community improvements that are being accomplished by town employees.

##### **PLANNING DIRECTOR**

Building Inspector -- The Planning Director met with Craig Springe in order to draft a contract for building inspection services. The proposed contract was presented to the Board for its review and approval. Trustee Myles moved to approve the contract with Craig Springe and to authorize the Acting Mayor to sign the agreement. The motion carried unanimously on a roll call vote -- AYES: Baukhages, MacDougall, Mason, Miller, Myles, and Nute; NAYS: none.

Lackawanna Placer Purchase -- The Town has received the property appraisal for the Lackawanna Placer, and the appraisal has been forwarded to GOCO for their review prior to scheduling the closing. The Town Attorney stated that he would like to close the sale by the 11<sup>th</sup> or 12<sup>th</sup> of February -- the sooner, the better.

Lease Agreement on the Lackawanna Placer -- A revised lease agreement was received from Harold Luzar for the Town Board's consideration. The Board elected to discuss this lease agreement in Executive Session prior to making any decision on the proposed lease.

Kendal Patten -- Though Mr. Patten was invited to meet with the Board, he informed the Planning Director that he would be out of town and unable to meet with the Board. However, Mr. Patten asked that the Board consider allowing him the opportunity to remove his house and remaining personal property this coming spring season